

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
APRIL 17, 1974

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, April 17, 1974, in the City Hall Council Chambers.

ROLL CALL	Present: Councilmen - EHRHARDT, HUGHES, KATNICH, SCHAFFER and PINKERTON (Mayor)
	Absent: Councilmen - None
	Also present: City Manager Henry Glaves, Assistant City Manager Jerry Glenn, City Attorney Robert Mullen, Planning Director Jim Schroeder, and Public Works Director Shelley Jones.
INVOCATION	The invocation was given by Councilman Ehrhardt.
PLEDGE	Mayor Pinkerton led the Pledge of Allegiance to the flag.
MINUTES	On motion of Councilman Katnich, Hughes second, the minutes of April 3, 1974, were approved as written and mailed.
PROCLAMATIONS	Mayor Pinkerton took the following actions:  Proclaimed April 28 through May 4, 1974, as "Week of the Young Child," and presented the Proclamation to Angelica Mitchell.  Proclaimed the month of May, 1974, as "Senior Citizens Month in the City of Lodi."
SUNDAY CONCERT APRIL 21 CITY HALL PLAZA	City Manager Glaves reported that there would be a concert held Sunday, April 21, 1974, at the City Hall Plaza. Stockton Musicians Local 189 and the Lodi Recreation Department will co-sponsor the concert. Local 189 will pay for all expenses involved.
REMOVAL OF FENCING ACROSS CITY PROPERTY	Mr. A. M. Mellor, 1008 Laurel Ave., Lodi, ad- dressed the Council regarding the fence that has been built across the property recently acquired by the City for the Lodi Lake Park Expansion Program and asked if something could not be done in having this fence removed from City property. The Mayor directed the staff to check into this immediately and report back to the Council as to their findings.
T. J. PENDRAY SEEKS INFORMATION	Mr. T. J. Pendray, 1012 Lake Home Drive, Lodi, addressed the Council stating that sometime ago he had sought certain information from the City Manager as to the name of the person requesting that a back- ground check be done on Mr. Pendray and his wife.

Minutes of April 17, 1974, continued

Mr. Pendray stated that he was not given the requested information. Mr. Pendray went on to say that he feels that he is entitled to this information and wants the Council to direct City Manager Graves to produce this information.

City Attorney Mullen interjected that this was not proper form and recommended the Council drop the matter.

#### PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of April 8, 1974:

##### ACTIONS OF INTEREST

1. Approved the request of Mr. Clarence Wermers for a Variance to reduce the required side yard from 5 feet to 2 feet which would permit the connection of an existing detached accessory building and an existing main structure by constructing a new patio cover at 931 York Street in an area zoned R-1, Single Family Residential.
2. Approved the request of Mr. Glenn Reich for Variances (1) to reduce the required side yard from 5 feet to 3 feet and (2) to reduce the required rear yard from 10 feet to 5 feet to permit a conforming addition to a single-family dwelling with nonconforming side and rear yards at 801 South Church Street in an area zoned R-2, Single-Family Residential.
3. Heard a presentation by Assistant City Attorney C. M. Sullivan concerning Conflicts of Interest and Statement of Economic Interests.
4. Opposed County General Plan Amendment GP-S which would permit additional urbanization north of Eight Mile Road at the U.S. 50-99 Freeway. In connection with this matter, the Planning Director was instructed to contact the Lodi Unified School District and the City of Stockton to determine those agencies' positions on this proposal.

#### COMMUNICATIONS

##### PETITIONS OPPOSING ORD. NO. 1022

The City Clerk presented petitions bearing 2285 signatures requesting that Ordinance No. 1022, entitled "An Ordinance Amending the Official District Map of the City of Lodi and Thereby Rezoning an Approximate 47-acre parcel located at the Southwest Corner of South Ham Lane and West Lodi Ave. from R-1 to PD-11," be repealed by the Lodi City Council or be submitted to a vote of the people at a special election pursuant to Section 4051, California Election Code. The City Clerk reported that the petitions would now be sent to the County Election Office for certification of signatures against affidavits of registration.

Minutes of April 17, 1974, continued

MEETINGS RE:  
PROPOSED CHANGE  
IN SJ CTY  
GENERAL PLAN

The City Clerk reported that a notice had been received of a proposed change in the County General Plan, and a community meeting on this proposed change to the General Plan will be held at the Woodbridge School Auditorium, 18500 N. Lilac, Woodbridge, California, on Monday, April 22, 1974, at 7:30 p.m.

The San Joaquin County Planning Commission will hold a public hearing on the plan amendment at the San Joaquin County Planning Commission Auditorium, 1850 E. Hazelton Street, Stockton, California, on Thursday, May 2, 1974, at 7:30 p.m.

CCT REQUEST  
TO REMOVE TWIN  
TEAM AND  
PACIFIC SPURS  
FROM PUBLIC  
SERVICE

The City Clerk reported that a letter had been received from the Public Utilities Commission stating that the Central California Traction Company has informed the Commission of its intention, under the provisions of General Order 36-C, to remove from public service the team track known as Twin Team and Pacific Spurs (Robinsons Feed Mill), located at Lodi, California, effective May 13, 1974. The company states that these facilities are no longer used and are not required for operating purposes and further that the City of Lodi is anxious to have this spur removed, as switch and rail run through one of its main streets. If the City wishes to make any representation or protest with respect to this proposal, a reply must be received prior to the effective date.

ABC LICENSE

An Application for Alcoholic Beverage License has been received from George L. Vaughan, The Bottle Shop, 412 W. Lodi Ave., Lodi - Off Sale General License Person to Person, Temporary Permit. This license is being transferred from Andrew R. and Ann Kunick.

PLEA FOR  
FUNDING FOR  
LODI-WOODBRIDGE  
CENTER

The City Clerk presented a letter that had been received from Reid and Ann Cerney urging the Council to take whatever affirmative action the Council can to keep open the Lodi-Woodbridge Center. Mr. and Mrs. Cerney state that it is the only organized program in the Lodi area that attempts to meet some of the very basic, survival needs of the poor. The Lodi-Woodbridge Center, its staff, and board personnel, give evidence to the fact that the people of Lodi do care about those who are poor and often times destitute. Please help to find a way to keep the Lodi-Woodbridge Center funded and open.

NOMINATIONS  
SOUGHT FOR  
SENIOR CITIZENS  
OF 1974

The City Clerk reported that a letter had been received from the San Joaquin County Senior Citizens Action Now Committee inviting nominations for the man and woman to be named as Senior Citizens of 1974.

Minutes of April 17, 1974, continued

LETTER TO  
SJ CTY EMPLOYEES  
ASSN RE. COM-  
PULSORY & BINDING  
ARBITRATION

Mayor Pinkerton read a letter addressed to Mr. Robert M. Cole, General Manager, San Joaquin County Employees Association, Inc. and signed by Mayor Pinkerton, regarding the City's position on compulsory and binding arbitration. The letter was unanimously approved as written and read on motion of Councilman Schaffer, Ehrhardt second.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$947,081.82 were approved on motion of Councilman Ehrhardt, Schaffer second.

PLEASANT AVE.  
AND LEE AVE.  
DESIGNATED  
ONE-WAY STREETS

The City Manager reported that sometime ago a request had been made to staff for a study to determine if Pleasant Avenue and Lee Avenue should be designated as one-way streets.

RES. NO. 3909

Public Works Director Shelley Jones reported on the study that had been made, showing diagrams, and stating that the recommendation resulting from the study was as follows:

1. That LEE AVENUE, between Lodi Avenue and Locust Street, and PLEASANT AVENUE, between Lodi Avenue and Pine Street, and Elm Street to Lockeford Street, be converted to one-way streets;
2. That parking be retained on both sides of both streets;
3. That the direction of travel on LEE AVENUE be southbound and that on PLEASANT AVENUE, northbound; and
4. That parking on PLEASANT AVENUE between Walnut Street and Pine Street be limited to two hours.

The following persons spoke in favor of Pleasant and Lee Avenues being designated as one-way streets, but spoke in disfavor regarding the recommended two-hour parking limit on Pleasant Ave. between Walnut Street and Pine Street:

Mrs. M. Combs, 211 Pleasant Ave., Lodi  
Mr. Jim Newman, Corner of Pine and Lee Ave.  
Mrs. Paulina Piazza, 24 S. Pleasant, Lodi  
Mr. Joseph Kellar, 229 S. Pleasant, Lodi

Mr. Frank Wolfe, Manager of the Chamber of Commerce, also spoke in behalf of designating Pleasant and Lee Avenues as one-way streets.

Mrs. Martha Martz, 220 S. Pleasant, Lodi, also stated that she was in favor of Lee and Pleasant Avenues being designated one-way streets, but hoped that driveways could be marked as to allow enough space on each side of the driveway to allow for the

Minutes of April 17, 1974, continued

backing and turning maneuvers required to get out of a driveway situated on such a narrow street.

Mr. Larry Navarette, Lockeford and Pleasant, Lodi, stated that he feared that his car wash at that location would be used as an alley if Pleasant was designated one-way (north bound) to Lockeford Street.

After considerable discussion, on motion of Councilman Katnich, Schaffer second, the Council adopted Res. No. 3909 designating Lee Avenue, between Lodi Avenue and Locust Street, and Pleasant Avenue, between Lodi Avenue and Pine and Elm Street to Lockeford Street, be converted to one-way streets with unlimited parking on both streets, and that the direction of travel on Lee Avenue be southbound and that on Pleasant it be northbound.

LUSD PROPOSAL  
FOR DEVELOPERS  
TO PROVIDE  
SCHOOL FACILITIES

The proposed Lodi Unified School District Resolution 73-28 - Relative to Developers Providing School Facilities, an item being continued from the April 3, 1974, Council Meeting, was again discussed at length.

On motion of Councilman Hughes, Schaffer second, action was deferred on this matter to allow Councilman Ehrhardt to work with staff to draw up a resolution that would better meet the City's specific requirements on this subject.

PACIFIC  
TELEPHONE CO.  
SEEKS SUPPORT  
IN CPUC  
INVESTIGATION

Mr. L. R. de Gallery, local Manager of the Pacific Telephone Company addressed the Council regarding California State Senate Resolution 77- (Briefed) which requests the California Public Utilities Commission to investigate the economic impact of interconnection and to assure their action will not affect telephone rates. Mr. de Gallery answered questions put forth by the Council on this subject.

RECESS

The Mayor declared a 5 minute recess and the Council reconvened at approximately 9:30 p.m.

SPINK CORP.  
STUDY - WATER  
RETENTION  
LODI LAKE

A report was given to the Council, including maps and diagrams, by Mr. Ted Smith of the Spink Corporation regarding year around water retention at Lodi Lake Park. Copies of the Spink Corporation study were provided the Council and staff for their scrutiny.

Mr. Smith and Mr. Baird of the Spink Corporation apprised the Council of their willingness to return for a "Shirt-sleeve" session to answer any questions raised by Council, after Council has had the opportunity to review the study in depth.

AWARD -  
WILLOW AVENUE  
SANITARY SEWER  
ASSESSMENT  
DISTRICT

The City Manager presented bids received for the Willow Avenue Sanitary Sewer Assessment District as follows:

Alvis Carden	\$ 8,840.00
Wayne Fregian	9,460.00
William Burkhardt	7,161.30
A & E Pipeline, Inc.	13,083.45
V. N. Vukasian	10,635.00
A & P Pipeline	9,475.00

RES. NO. 3910

Minutes of April 17, 1974, continued

The City Manager recommended the award be made to the low bidder for the amount of the bid and stated that the bid did not exceed 15% of the engineers estimate as prescribed by law.

On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3910 awarding the contract for the Willow Avenue Sanitary Sewer Assessment District to William Burkhardt for the amount of the bid.

AWARD -  
PEACH STREET  
SANITARY SEWER  
ASSESSMENT  
DISTRICT

RES. NO. 3911

The City Manager also presented bids received for the Peach Street Sanitary Sewer Assessment District as follows:

Wayne Fregian	\$16,682.80
Alvin Carden	15,288.00
A & E Pipeline, Inc.	18,334.00
William Burkhardt	12,522.95
V. N. Vukasian	17,755.00
A & P Pipeline	14,689.00

The City Manager recommended the award be made to the low bidder for the amount of the bid and stated that the bid did not exceed 15% of the engineer's estimate as prescribed by law.

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3911 awarding the contract for the Peach Street Sanitary Sewer Assessment District to William Burkhardt for the amount of the bid.

NO CHARGE FOR  
ENGINEERING  
INSPECTION OF  
WORK UNDER  
1911 ASSESSMENT  
DISTRICT  
PROCEEDINGS

The City Manager reported that in the installation of street lights under past assessment district proceedings, the City has included the cost of engineering inspection in the charges levied against the property owners in the assessment district. It appears that this is inconsistent with other work performed by private parties in public streets or subdivisions, and for these reasons the City Manager recommends that the City of Lodi provide engineering inspection of work performed under the 1911 Assessment District Proceedings at no cost to the assessment district.

Councilman Ehrhardt moved that all future engineering inspection of work performed under the 1911 Assessment District Proceedings will be provided by the City of Lodi with no charge to the assessment districts. The motion was seconded by Councilman Katnich and carried.

AWARD -  
STANDARD  
SEDAN - FIRE  
DEPT.

RES. NO. 3912

The City Manager presented the bids received for one standard sedan automobile to be used by the Fire Department as follows:

Sanborn Chevrolet	\$3,750.62
Geweke Ford	\$3,774.65

Minutes of April 17, 1974, continued

Inasmuch as the Sanborn Chevrolet bid did not conform to specifications, the City Manager recommended the award be made to Geweke Ford for the amount of the bid.

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3912 awarding the contract to Geweke Ford for the amount of the bid.

AWARD - 1/2 TON  
PICKUP TRUCK  
PUBLIC WORKS

The City Manager presented the only bid received for a one-half ton pickup truck to be used by the Public Works Department as follows:

RES. NO. 3913	Geweke Ford	\$3,227.44
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It was determined that the bid was a reasonable bid and the City Manager recommended that the award be made.

On motion of Councilman Katnich, Ehrhardt second, the Council adopted Resolution No. 3913 awarding the contract to Geweke Ford for the amount of the bid.

AWARD - TANDEM  
ROLLER -  
PUBLIC WORKS

The City Manager presented the only bid received for a Tandem Roller for use in the Department of Public Works as follows:

RES. NO. 3914	Western Traction Co.	\$17,014.00
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The City Manager stated that he felt the bid was reasonable, and his recommendation would be that the award be made.

On motion of Councilman Katnich, Ehrhardt second, the Council adopted Resolution No. 3914 awarding the contract to Western Traction Company for the amount of the bid.

AWARD - TRACTOR  
LOADER  
PUBLIC WORKS

The City Manager presented bids received for a tractor loader to be used by the Public Works Department as follows:

RES. NO. 3915	Stockton Ford Tractor, Inc.	\$6,646.00
	Ferdun & Woods Co.	6,684.00
	Mid-State Equipment Co.	8,372.80

On motion of Councilman Hughes, Ehrhardt second, the Council adopted Resolution No. 3915 awarding the bid to Ferdun & Woods Equipment Co. of Lodi for the amount of the bid, because of the savings that would be realized in servicing this piece of equipment with a local dealer. The motion carried by the following vote:

Ayes:	Councilmen - Ehrhardt, Hughes, Pinkerton
Noes:	Councilmen - Katnich and Schaffer
Absent:	Councilmen - None

Minutes of April 17, 1974, continued

ALADDIN GARDENS,  
UNIT NO. 3  
SUBDIVISION  
FINAL MAP  
APPROVED

The City Manager reported that the Aladdin Gardens, Unit No. 3 Subdivision developer, Aladdin Real Estate, Inc., has completed all the requirements as specified by the Planning Commission in the approval of the tentative map on January 8, 1974.

On motion of Councilman Schaffer, Katnich second, the Council approved Aladdin Gardens, Unit No. 3 final map, the improvement plans, and the improvement security and directed the City Manager to sign the subdivision and electrical utility agreements on behalf of the City.

CITY MANAGER  
AUTHORIZED TO  
NEGOTIATE FOR  
FIRE STATION #4

City Manager Graves reported that in the planning of Aladdin Gardens, Unit No. 3, subdivision, the City requested the developer to make provisions for a fire station site in the vicinity of Lower Sacramento Road and Elm Street. Lot 146 in the subdivision was provided for that site. The site has a 120-foot frontage on Lower Sacramento Road (Frontage Road) and measures 200 feet deep.

On motion of Councilman Ehrhardt, Katnich second, the Council authorized the City Manager to negotiate on behalf of the City for the purchase of the site for Fire Station #4 with Aladdin Real Estate, Inc. at the appraised amount.

HAM LANE  
STORM DRAIN  
ACCEPTED

The City Manager reported that the contract for the improvements in the Ham Lane Storm Drain, Century Boulevard to Kettleman Lane, which had been awarded to Cecil Sand & Gravel Co. on September 19, 1973, in the amount of \$49,842.40 has been completed in substantial conformance with the plans and specifications approved by the City Council.

Councilman Hughes moved that the Council accept the improvements in the Ham Lane Storm Drain, Century Boulevard to Kettleman Lane, and direct the Public Works Director to file a Notice of Completion with the County Recorder's office. The motion was seconded by Councilman Ehrhardt and carried.

PREVAILING  
WAGE SCALE  
ADOPTED

RES. NO. 3916

City Manager Graves informed the Council that the City is required by Section 1770 of the State Labor Code to adopt a prevailing wage rate for use on Public Works contracts within their jurisdiction. The City has obtained these classifications and wage rates from the Federal Register, Volume 39, No. 42, dated March 1, 1974. These wage rates will be used in future Public Works construction and considerably reduces the legal advertising expense in advertising for bids.



Minutes of April 17, 1974, continued

On motion of Councilman Schaffer, Katnich second, the Council adopted Resolution 3916 adopting the prevailing wage scale in accordance with Section 1770 of the State Labor Code.

DESTRUCTION OF  
RECORDS  
AUTHORIZED

RES. NO. 3917

The City Manager reported that in vacating the old administrative offices, several transfer cartons of personnel material, which met the criteria for destruction had been set aside to be destroyed. As required by law, City Attorney Mullen had scrutinized the material, and given written authorization for its destruction.

On motion of Councilman Ehrhardt, Katnich second, the Council adopted Resolution 3917 authorizing the destruction of certain personnel records as approved by the City Attorney.

ORDINANCES

REZONE P-D 5  
TO R-GA

ORD. NO. 1026  
ADOPTED

ORDINANCE NO. 1026, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOT 5 AS SHOWN ON THE FORMER TENTATIVE MAP OF THE RIVERGATE MOKELUMNE SUBDIVISION FROM A PORTION OF PLANNED DEVELOPMENT DISTRICT NO. 5 (P-D (5)) TO R-GA, GARDEN APARTMENT RESIDENTIAL DISTRICT," having been introduced at a regular meeting April 3, 1974, was brought up for passage on the motion of Councilman Katnich, Schaffer second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes,  
Katnich, Schaffer,  
and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

MAKE ZONING  
ORDINANCE &  
THE GENERAL  
PLAN CONSISTENT

ORD. NO. 1027  
ADOPTED

ORDINANCE NO. 1027, entitled, "AN ORDINANCE OF THE CITY OF LODI AMENDING THE GENERAL PLAN AND THEREBY MAKING THE ZONING ORDINANCE AND THE GENERAL PLAN CONSISTENT," having been introduced at a regular meeting on April 3, 1974, was brought up for passage on motion of Councilman Schaffer, Ehrhardt second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes,  
Katnich, Schaffer &  
Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Minutes of April 17, 1974, continued

YODER-TROTTER-  
ORLOB & ASSOC.  
AGREEMENT  
TERMINATED

City Manager Graves reported that the City has a contract with Yoder-Trotter-Orlob & Associates dated September 12, 1973, to perform engineering work at White Slough Water Pollution Control Plant. On March 15, 1974, M. C. Yoder terminated his relationship with Yoder-Trotter-Orlob and has formed a new firm. The new firms principals are R. M. Trotter and M. C. Yoder, together with eight associates, who also left the firm of Yoder-Trotter-Orlob.

TROTTER-YODER  
& ASSOCIATES  
DESIGNATED TO  
PERFORM WORK

On motion of Councilman Katnich, Hughes second, the Council terminated the City's contract for engineering services with Yoder-Trotter-Orlob & Associates dated September 12, 1973, and designated the new firm of Trotter-Yoder & Associates to perform engineering work at White Slough Water Pollution Control Plant.

STATE ASSURED  
OF NO EXISTING  
EASEMENTS  
ENCUMBERING  
LAKE PARK  
EXPANSION  
PROPERTY

City Attorney Mullen reported to the Council that the State of California, Dept. of Parks & Recreation has requested assurance from the City that no existing easements are encumbering the lands acquired for the Lodi Lake Park Expansion Project LWCF #06-00275 that will conflict with recreational facilities or uses and that it would be in order for the Council to adopt a resolution giving this assurance to the State.

RES. NO. 3918

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution 3918 assuring the California Dept. of Parks & Recreation that no existing easements encumber the lands acquired for the Lodi Lake Park Expansion Project - LWCF #06-00275 that will conflict with recreational facilities or uses.

COUNCIL TO TOUR  
LAKE PARK  
EXPANSION  
PROPERTY

City Manager Graves announced that a tour has been planned for the Council to tour the newly acquired Lodi Lake Park Expansion property on April 27, 1974.

ADJOURNMENT

There being no further business, Mayor Pinkerton adjourned the meeting at 11:10 p.m.

*Alice M. Reimche*  
Attest: ALICE M. REIMCHE  
City Clerk